

U.S. Department of Justice  
United States Marshals Service**PROCESS RECEIPT AND RETURN**See Instructions for "Service of Process by the U.S. Marshal"  
on the reverse of this form.

PLAINTIFF Bank of the West		COURT CASE NUMBER 04-10404-RGS
DEFENDANT Katherine Beesley and tehM/V DEFIANCE		TYPE OF PROCESS Bill of Sale
<b>SERVE</b> ➔	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN M/V DEFIANCE c/o Certified Sales	
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 19 Uxbridge Road, Mendon, MA 01756	
<b>AT</b>		

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:		Number of process to be served with this Form - 285	1
Seth S. Holbrook Holbrook & Murphy 150 Federal Street, 12th Floor Boston, MA 02110		Number of parties to be served in this case	1
		Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

n/a

Signature of Attorney or other Originator requesting service on behalf of: <i>Seth S. Holbrook</i>	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 617-428-1151	DATE 11/19/04
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**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 1	District of Origin No. 38	District to Serve No. 38	Signature of Authorized USMS Deputy or Clerk <i>Harvey Salas</i>	Date 11/22/04
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.		
Address (complete only if different than shown above)			
Date of Service		Time	am
Signature of U.S. Marshal or Deputy			

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
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REMARKS:

Copy Attached & Bill of Sale  
11/24/04

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

BANK OF THE WEST,  
Plaintiff

v.

KATHERINE BEESLEY,  
In Personam

AND

M/V DEFIANCE,  
her engines and equipment,  
In Rem

Defendants

BY: 

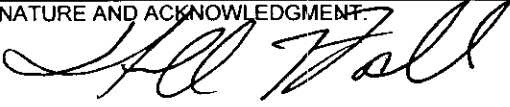
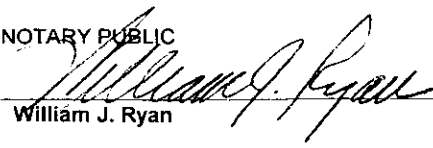
CIVIL ACTION NO.  
04 CV 10407 RGS

ORDER APPROVING THE SALE OF VESSEL

It is so ORDERED: That the sale, taking place on September 10, 2004, of the M/V DEFIANCE conducted by the United States Marshal's Office to the plaintiff, for \$1.00 (one dollar) is approved.

  
Judge Richard Stearns

10-21-04.

DEPARTMENT OF TRANSPORTATION U.S. COAST GUARD CG-1356 (REV. 9-92)	<b>BILL OF SALE BY GOVERNMENT ENTITY PURSUANT TO COURT ORDER OR ADMINISTRATIVE DECREE OF FORFEITURE</b>	THIS SECTION FOR COAST GUARD USE ONLY
1. VESSEL NAME  <b>M/V DEFIANCE</b>		2. OFFICIAL NUMBER OR OTHER UNIQUE IDENTIFIER  <b>658470</b>
3. PERSON EXECUTING INSTRUMENT  NAME: <b>ANTHONY DICHIO</b> TITLE: <b>UNITED STATES MARSHAL</b>  NAME AND ADDRESS OF AGENCY REPRESENTED (AND DISTRICT, IF APPLICABLE)  <b>UNITED STATES MARSHALS SERVICE, DISTRICT OF MASSACHUSETTS ONE COURTHOUSE WAY, SUITE 1-500 BOSTON, MA 02210</b>		
4. COURT OR FORFEITURE INFORMATION:  <input type="checkbox"/> VESSEL SOLD PURSUANT TO ADMINISTRATIVE FORFEITURE (COPY OF DECREE ATTACHED)  <input checked="" type="checkbox"/> VESSEL SOLD PURSUANT TO COURT ORDER NAME OF COURT TITLE OF ORDER <b>UNITED STATES DISTRICT COURT ORDER OF SALE</b>		RECORDING DATA:  BOOK: PAGE:  PORT (IF DIFFERENT FROM FILING PORT)
5. NAME (S) AND ADDRESS (ES) OF BUYER (S) AND INTEREST TRANSFERRED TO EACH:  <b>BANK OF THE WEST 1450 TREAT BOULEVARD WALNUT CREEK, CA 94596</b>		
5A. TOTAL INTEREST TRANSFERRED (100% UNLESS OTHERWISE SPECIFIED.) <u>100</u> %  5B. MANNER OF OWNERSHIP. (CHECK ONLY ONE, IF APPLICABLE). UNLESS OTHERWISE STATED HEREIN, THIS BILL OF SALE CREATES A TENANCY IN COMMON, WITH EACH TENANT OWNING AN EQUAL UNDIVIDED INTEREST.  <input type="checkbox"/> JOINT TENANCY WITH RIGHT OF SURVIVORSHIP <input type="checkbox"/> TENANCY BY THE ENTIRETIES <input type="checkbox"/> COMMUNITY PROPERTY <input type="checkbox"/> OTHER (DESCRIBE)		
6. CONSIDERATION RECEIVED: <b>ONE DOLLAR</b> <b>\$1.00</b> (ONE DOLLAR AND OTHER VALUABLE CONSIDERATION UNLESS OTHERWISE STATED)		
7. BY VIRTUE OF THE AFORESAID COURT ORDER, A COPY OF WHICH IS ATTACHED HERETO, OR DECREE OF ADMINISTRATIVE FORFEITURE ATTACHED HERETO, I DO HEREBY GRANT, BARGAIN, AND SELL THE VESSEL DESCRIBED HEREIN, TOGETHER WITH ITS TACKLE, APPAREL, AND FURNITURE, TO THE BUYER (S) NAMED ABOVE. FURTHERMORE, OWNERSHIP OF SAID VESSEL IS TRANSFERRED TO <b>BANK OF THE WEST</b> FREE AND CLEAR OF ANY AND ALL LIENS OR ENCUMBRANCES OF ANY KIND.		
8. SIGNATURE AND ACKNOWLEDGMENT:  <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">              ON <u>November 23, 2004</u> THE            (DATE)            PERSON (S) NAMED ABOVE ACKNOWLEDGED EXECUTION            OF THE FOREGOING INSTRUMENT IN THEIR STATED            CAPACITY (IES) FOR THE PURPOSE THEREIN CONTAINED.         </div> <div style="width: 45%;">           STATE: <u>MASSACHUSETTS</u>             COUNTY: <u>SUFFOLK</u>             NOTARY PUBLIC    <b>William J. Ryan</b>             MY COMMISSION EXPIRES: <u>May 20, 2005</u>            (DATE)         </div> </div>		

(COMPLETE THIS SECTION ONLY IF VESSEL HAS NEVER BEEN DOCUMENTED AND DOES NOT HAVE A HULL IDENTIFICATION NUMBER.)

VESSEL DATA

- A. BUILDER \_\_\_\_\_ B. BUILDER'S HULL NUMBER \_\_\_\_\_
- C. FORMER NAME \_\_\_\_\_ D. FORMER MOTORBOAT NUMBERS \_\_\_\_\_
- E. FORMER ALIEN REGISTRATIONS \_\_\_\_\_
- F. DIMENSIONS: L= \_\_\_\_\_ B= \_\_\_\_\_ D= \_\_\_\_\_
- G. PERSON FROM WHOM SELLER OBTAINED VESSEL \_\_\_\_\_

  
SIGNATURE OF SELLER

**INSTRUCTIONS**

1. INDICATE CURRENT DOCUMENTED NAME. (IF VESSEL HAS NEVER BEEN DOCUMENTED SELLER MUST COMPLETE AND SIGN DATA SECTION ABOVE.)
  2. INDICATE OFFICIAL NUMBER AWARDED TO VESSEL OR HULL IDENTIFICATION NUMBER ASSIGNED BY MANUFACTURER. (IF THE VESSEL HAS NO HULL IDENTIFICATION NUMBER AND HAS NEVER BEEN DOCUMENTED, SELLER MUST COMPLETE AND SIGN THE VESSEL DATA SECTION ABOVE.)
  3. INSERT NAMES AND ADDRESSES OF ALL PERSONS EXECUTING INSTRUMENT AND THEIR CAPACITY. LIST THE NAME AND ADDRESS OF THE AGENCY IF APPLICABLE.
  4. SELF-EXPLANATORY.
  5. LIST THE NAME(S) AND ADDRESS(ES) OF THE BUYERS.
  - 5A. LIST THE INTEREST TRANSFERRED TO THE BUYER(S) NAMED ABOVE.
  - 5B. CHECK THE MANNER OF OWNERSHIP. UNLESS OTHERWISE STATED, THIS BILL OF SALE CREATES A TENANCY IN COMMON WITH EACH TENANT OWNING AN UNDIVIDED INTEREST.
  6. SELF-EXPLANATORY. USE "REMARKS" SECTION ABOVE IF VESSEL IS NOT SOLD FREE AND CLEAR, OR TO LIST VESSEL APPURTENANCES WHICH ARE NOT SOLD WITH THE VESSEL.
  7. SELF-EXPLANATORY.
  8. THIS SECTION MUST BE COMPLETED BY A NOTARY PUBLIC OR OTHER PERSON AUTHORIZED TO TAKE ACKNOWLEDGMENTS OF DEEDS UNDER THE LAWS OF A STATE OR THE UNITED STATES. IF THERE ARE MULTIPLE SIGNATORIES TO THIS BILL OF SALE, EACH MUST MAKE AN ACKNOWLEDGMENT BEFORE A NOTARY. ATTACHMENTS SHOWING THOSE APPEARANCES ARE PERMITTED.
- NOTE: THIS INSTRUMENT WILL BE INELIGIBLE FOR FILING AND RECORDING IF ALTERED AFTER EXECUTION AND ACKNOWLEDGMENT. ANY ALTERATIONS MADE PRIOR TO EXECUTION MUST BE ATTESTED BY THE PERSON TAKING THE ACKNOWLEDGMENT.

**PRIVACY ACT STATEMENT**

IN ACCORDANCE WITH 5 USC 552(A), THE FOLLOWING INFORMATION IS PROVIDED TO YOU WHEN SUPPLYING PERSONAL INFORMATION TO THE U.S. COAST GUARD.

1. AUTHORITY. SOLICITATION OF THIS INFORMATION IS AUTHORIZED BY 46 USC, CHAPTER 313 AND 46 CFR, PART 67.
2. THE PRINCIPAL PURPOSES FOR WHICH THIS INSTRUMENT IS TO BE USED ARE:
  - (A) TO PROVIDE A RECORD, AVAILABLE FOR PUBLIC INSPECTION AND COPYING, OF THE SALE OR OTHER CHANGE IN OWNERSHIP OF A VESSEL WHICH IS DOCUMENTED, WILL BE DOCUMENTED, OR HAS BEEN DOCUMENTED PURSUANT TO 46 USC, CHAPTER 121.
  - (B) PLACEMENT OF THIS INSTRUMENT IN A BOOK FOR EXAMINATION BY GOVERNMENTAL AUTHORITIES AND MEMBERS OF THE GENERAL PUBLIC.
3. THE ROUTINE USE WHICH MAY BE MADE OF THIS INFORMATION INCLUDES DEVELOPMENT OF STATISTICAL DATA CONCERNING DOCUMENTED VESSELS.
4. DISCLOSURE OF THE INFORMATION REQUESTED ON THIS FORM IS VOLUNTARY, HOWEVER, FAILURE TO PROVIDE THE INFORMATION COULD PRECLUDE FILING OF A BILL OF SALE AND DOCUMENTATION OF THE VESSEL NAMED HEREIN PURSUANT TO 46 USC, CHAPTER 121. MOREOVER, BILLS OF SALE WHICH ARE NOT FILED ARE NOT DEEMED TO BE VALID EXCEPT AGAINST ANY PERSON EXCEPT THE GRANTOR OR A PERSON HAVING ACTUAL KNOWLEDGE OF THE SALE. (46 USC 31321(A)).

THE COAST GUARD ESTIMATES THAT THE AVERAGE BURDEN FOR THIS FORM IS 20 MINUTES. YOU MAY SUBMIT ANY COMMENTS CONCERNING THE ACCURACY OF THIS BURDEN ESTIMATE OR MAKE SUGGESTIONS FOR REDUCING THE BURDEN TO: COMMANDANT (G-MVI), U.S. COAST GUARD, WASHINGTON, DC 20593-0001 OR OFFICE OF MANAGEMENT AND BUDGET, OFFICE OF INFORMATION AND REGULATORY AFFAIRS, ATTENTION: DESK OFFICER FOR DOT/USCG, OLD EXECUTIVE OFFICE BUILDING, WASHINGTON, DC 20503.